

MINUTES

NATURAL RESOURCES COMMISSION

October 8, 2015

**Clark Township Community Center
133 East M-134, Cedarville, Michigan 49719**

Present for the Natural Resources Commission

John Matonich, chair
J.R. Richardson, vice-chair
Vicki Pontz
Rex Schlaybaugh
Christine Crumbaugh
Louise Klarr
Tim Nichols

Present for DNR Staff

Bill Moritz, DNR natural resources deputy
Hal Martin, legal counsel, Office of the Attorney General
Dennis Knapp, DNR chief of staff
Cheryl Nelson, executive assistant to the NRC

COMMITTEE OF THE WHOLE

Chairman John Matonich called the Committee of the Whole meeting to order at 3:12 p.m.

Opening Remarks Gary Reid, Clark Township supervisor, welcomed the commission and thanked them for allowing the township to host the Natural Resources Commission meeting. He also extended an invitation to the commission and department to partner with Clark Township to prosper, preserve and protect the Les Cheneaux area. He mentioned Graymont Mining noting that the first \$100,000 payment to the economic development fund should be received any day now. Natural Resources deputy **Moritz** added that the \$100,000 should be deposited in the Rexton Community Fund that day.

Introduction of Cid Morgan, Supervisor Hiawatha National Forest Deputy Moritz introduced **Cid Morgan** as the new supervisor of Hiawatha National Forest. **Ms. Morgan** came to Michigan from Arizona and is pleased to be in Michigan and is looking forward to working with various different partners.

Parks and Trails Update Ron Olson, chief of the Parks and Recreation division (PRD) shared some highlights, on Silver Lake ORV area; they have had a very successful summer. The next phase is to work cooperatively with a non-profit at improving parking next year. Recreation passport are at a record numbers. This year's camping is up 8.9 percent. Regarding the storms in the Traverse City area, PRD and Forestry staff worked together on trail cleanup. On waterways, the Conley Point boat launch was just completed on the St. Mary's River system in the northeast part of the area. Pine River boating access site was also completed and Detour Harbor was recently renovated. Olson introduced the new Upper Peninsula (UP) Trail

Coordinator, **Ron Yesney**. There will be three key people working under **Yesney**, western UP specialist, central UP specialist and eastern UP specialist. He shared a report on the ORV trek across the mighty Mac that took place the previous weekend.

Tom Weston, Marketing and Outreach division (MOD), provided an update on the Marquette trail pilot status; the program is collecting and standardizing all trails data in the county for availability in an open data portal. The goal of MOD is to have better trail data on the web for consumers and to become the digital trail state. What's next is to launch the pilot site on October 30. After that is marketing to partners and talking about the value of the project, connecting the trails, and using a common data standard. Outerspatial is a research tool being used to understand trail usage.

Tahquamenon Falls Educational Programs MOD's **Jon Spieles** talked about the educational programs that the department has around the state. **Theresa Neal**, the park interpreter at Tahquamenon Falls, targets day use visitors at the park. She educates the visitors on wildlife, invasive species, and other issues by using the Fact Shack. They have hands on components. Featured displays include a wolf and a cougar. They have talked to more than 430,000 people over seven years about wolves. They share with the public where the department stands on cougars in Michigan. **Spieles** added that there are about 50,000 participants for public programming. In addition, 50,000 school children, and roughly 300,000 come through the visitor center at Tahquamenon Falls this year.

Partnership with Lake Superior State University Fisheries division chief, **Jim Dexter** and **Dr. Barb Evans** from Lake Superior State University (LSSU) came before the commission to talk about the partnership between the department and LSSU. Hunt Creek Fisheries Research Station was active until 2008, they had to utilize limited financial funds to maintain facility, so the Fisheries management team decided to partner with LSSU. There is a long-term Memorandum of Understanding with LSSU for this research station. LSSU is strong in sciences with educational mission directly in line with the department's mission. The bottom line is that this keeps the facility as a usable asset for the department and ensures future options are maintained. **Dr. Evans** talked about the university uses, including using the research station as a summer camp, and that they are slowly starting to develop a natural resources career camp. Currently an Environmental Chemistry class is using the facility; they are looking at water quality evaluations, adding the dataset and looking at water quality as an indicator. **Evans** added that having the facility provides an enhanced hands-on educational experience.

Forestry Update Forest Resources division chief **Bill O'Neill** told the commission about spruce budworm, one of the most destructive native insects in spruce and fir forests in the United States and Canada. There is currently a heavy infestation of the worms in the Western UP. The division is surveying mortality and conducting harvests as necessary to help control the spread of the disease. They have let landowners know this bug is coming. The last outbreak was in the 60s. They are starting to identify which stands are at risk. The department is managing for even-aged, well-stocked stands and are identifying stands at risk. There is a good market for soft wood for timber companies.

O'Neill also discussed the decision by Arauco North America to build a particle board plant in Grayling. 250 jobs will be created by this \$325 million investment. The department played a

key role in attracting the plant to Michigan. The plant will be done in 2018 and will be one of the largest in the world.

O'Neill noted that his division will be sponsoring the Forest Products Summit in Lansing on October 28.

Graymont Land Update Real Estate section supervisor **Steve Sutton** reported to the commission that the department has closed on land sale portion of the Graymont transaction, tracts A, D, E have sold for \$3.8M. That sale triggered the \$100,000 endowment fund. What's left are the exchange parcels B and C. He added that it is important to remember once Graymont makes a recommendation the parcels it will come back to the commission for public review and comment before the director makes a final decision.

Arauco note, because there is an MOU, as it is within the Grayling Industrial Park, there is a step by step process for land sale, it must be posted for information for 30 days. It is currently on the department's website on the business calendar.

Legislative Report **Trevor VanDyke**, Legislative and Legal Affairs Office director, provided a written report of legislation related to the department. **Commissioner Schlaybaugh** would like the senate bill regarding aquaculture on a future report.

Committee Reports:

Michigan State Parks Advisory Committee

Commission Klarr noted that they received updates on many projects and worked through a resolution with intent to support new state park number 103.

NRC Policy Committee on Wildlife and Fisheries

Commissioner Schlaybaugh noted that reports were received from the Fisheries and Wildlife chiefs. Committee discussed fisheries order 215.15A, and agreed that they would recommend to the full commission to not support catch and delayed release (CDR) season for bass. They received a summary of the elk season results and a report on prospects for this year's deer season. They also received an informative report from **Dr. Brent Rudolph** on antler point restrictions.

Partners in Conservation Award

Jeff Joseph from Plum Creek Timber Company was recognized with the Partners in Conservation Award for the company's partnership efforts to address winter deer habitat management in the Menge Creek and Huron Mountains deer wintering complexes.

Doug Barry from PRD introduced **Lorana Jinkerson** and **Eric Rayhost** from North Country Trail Hikers. They were recognized with the Partners in Conservation Award for their partnership and commitment to the preservation, protection and addition to the natural resources and trails in Michigan.

Public Appearances Before the NRC

(**Stacy Welling Haughey** read the official timekeeping procedures and guidelines for the meeting's public appearances which began at 4:54 p.m.)

Amy Trotter, Deputy Director, MUCC is disappointed that the recommendation from the Fish and Wildlife committee for fisheries order 215.15A is to remove the CDR from the order. She asked that the rest of the commission reconsider and adopt the order. Referencing the Scientific Fish and Wildlife Conservation Act, **Trotter** would like to see more transparency in the decision-making process to close the loop for the public, referencing the Illinois study, which was not publically shared. The public needs the scientific information leading to this decision. MUCC wants to be an advocate of the process and wants to see how the connections are built for these decisions. **Trotter** requested some type of record or decision-making document of why a decision was made and what it was based on. **Commissioner Pontz** commented that **Commissioner Schlaybaugh** did a good job of sharing the rationale of the committee, and the commission has heard the science on both sides. Given this information, she found it interesting that **Trotter** would be disappointed in a commission with conflicting science presented to them that they would make the decision on protecting the resource. **Pontz** added that given that there is conflicting science she would rather err on the side of protecting the resource.

Dan Kimmel, MI B.A.S.S. Nation said that he was in agreement with **Ms. Trotter's** statement. He said that chief **Dexter** has commented numerous times that the test is low risk. This was a test so that the department would actually know if this would work, and could be a new opportunity. **Kimmel** added that throwing out this test season will guarantee that many tournament anglers will drive to Indiana. Now all bass tournaments will have to be on bass spawn. **Kimmel** stated that we have the shortest bass season in the country. The purpose of MI B.A.S.S. Nation is to promote and preserve bass fishing. He asked that the commission decide to not throw out the test season.

George Lindquist of UP Whitetails of Marquette County, talked about looking at the deer plan; the focus of the plan was controlling deer numbers, controlling the deer herd. The focus does not apply to the UP as they are now. They are working with **Ashley Autenrieth** on updates. He noted several good things that are going on with deer winter habitat workgroup, adding that there is potential to do a lot with deer winter complexes. **Lindquist** stated that grants for the UP need to happen, they need to plug into deer winter habitat workgroup to do some of this work. The UP groups are doing what they can, but they need assistance with the grants and grant writing. He appreciates the department looking at options for coyote control. **Commissioner Richardson** added comments regarding reaching out to get university assistance to help write grants. They have tried to make this happen, clubs are small and it is hard to get someone to focus enough time to come up with a plan to make something happen. **Matonich** added that something needs to be done north of the bridge to make this a little more palatable to get a grant.

Allan Augustyn is the host of an outdoor radio show in the UP and hears many comments. He had three issues that he brought up to the commission. He would like to see better game management in the state and suggests using better methods such as studying what other states do. He also suggested mandatory online deer check. The second issue he spoke about was

encouraging the department and the commission to continue the legal effort to support the delisting of wolves at the federal level so that it can again be a managed species in the state. Lastly, he spoke of Senate Bill 244 that talks about radical increase in restitution for illegal killing or possessing of certain game, which he feels does not define poaching and does not discriminate from an accidental kill violation versus someone intending to take game illegally. **Matonich** hopes that **Augustyn** encourages his listeners to contact their legislators to put the management of wolves back into the hands of the state.

Tony Demboski, UPSA, mentioned Senate Bill 244 and feels the fines are too high.

Dick Pershinske, Eastern UP Citizen's Advisory Committee (EUP CAC), talked about the success that the EUP CAC has had. He noted that the committee is well-informed on many issues by department staff. 64 resolutions have come out of the two CACs, with only one being rejected. It is an open forum for citizens to ask any questions they may have. More important part of the committee is the stakeholders who take the information back to their organizations. **Pershinske** talked about leadership within the department, noting **Stacy Haughey** and the super job that the field staff does. He made the recommendation that he believes this organizational structure needs to go south of the bridge. **Richardson** added that the commission and department have opened up and gone transparent, fulfilling the needs of the constituents and the resource users.

Tom Buckingham, is from the EUP CAC, and is chairman of chronic wasting disease subcommittee. He wants to know what they as citizens can do to raise awareness in their user group. The group put together an informational handout which was approved in December 2014 to distribute to stakeholder groups. It has been the hope of this group to raise the awareness of this disease.

Bill Vander Zouwen, Pheasants Forever (PF), told the commission that PF is happy to partner with the department. He is co-chairing the pheasant restoration initiatives with **Al Stewart**. **Vander Zouwen** wanted to tell the commission and department how much PF appreciates the wildlife habitat grant program. It brings in partner dollars so they get more done and generates closer relationships. He thanked the commission and department and appreciates the work they are doing. **Matonich** encourages PF to continue to share their message.

Chuck Moser is from the Eastern UP Transit Authority and is a member of the group that worked on the Drummond Island Management Plan. The plan has over forty recommendations. They appreciate the outreach from the department and thanked them for their thorough work. The outreach to the public was phenomenal and noted that it was a great process. He asked for serious consideration of the recommendations.

Jim Kelly thanked **Terry Minzey** and all department staff for their efforts on the Drummond Island Management Plan.

Skip Schultz, President, UP ORV Trail Development Association thanked the commission for acknowledging 25 years of working on ORV trails. He said that 25 years ago a system was needed, the department agreed with the condition it be done on voluntary basis. Clubs had to pay for signs and they must be consistent, it is a benefit to the riders. **Schultz** talked about the signage and that it must be consistent and mandatory throughout the UP or ORV riders will be

lost. **Matonich** added that there have been major changes within the department that should help with the goals **Schultz** has.

John Gunuille, President, UP Trappers, came to discuss cable restraints and using the UP as test grounds for 2.5 inch loop for two years. He has scientific facts and figures from the state of Wisconsin, who have been using them for ten years. He shared some facts from Wisconsin biologist **John Olson**.

Grant DeWitt came to discuss changing the fifty inch trails to 65 inch trails and wanted to know if this process could be expedited. He said that they need ORV trails now. **Matonich** talked about the state definition of a trail and a route. The only way to change that is to go to state legislature. However trails/routes can be restricted by the director. He suggested that **DeWitt** ask for a restricted route instead of a trail. He also suggested that **DeWitt** contact his legislator for consideration change the width definition of a trail, in addition **Matonich** added that he could ask the department to ask for reconsideration of that trail as a route.

Chauncey Moran thanked the commission for coming to the UP. They care about and are dedicated to the resources. He also thanked them for their decision on CDR.

Chairman Matonich adjourned the public appearances portion of the meeting at 5:57 p.m. and called to order the regular meeting of the NRC at 5:58 p.m. He noted that all commissioners who were present at the Committee of the Whole were present for the regular meeting.

REGULAR MEETING OF THE NATURAL RESOURCES COMMISSION

FOR INFORMATION ONLY – NATURAL RESOURCES COMMISSION

Statewide Trout, Salmon, Whitefish, Lake Herrish, and Smelt Regulations, Fisheries Order 200.16

Special Fishing Regulations for Warmwater Species on Select Waters, Fisheries Order 206.15A

Fish Regulations –Sylvania Wilderness Area, Ottawa National Forest, Gogegic County, Fisheries Order 212.16

Criteria for Selection of Trout Streams with Gear Restriction Regulations, Fisheries Order 213.15

Gear Restrictions for Fishing, Fisheries Order 218.16

Possession Limits for Fish, Fisheries Order 248.16

NATURAL RESOURCES COMMISSION ACTION ITEMS

Approval of Minutes, September 10, 2015, Natural Resources Commission Meeting

Commissioner Nichols made a motion that the minutes of the September 10, 2015 NRC meeting be approved. **Commissioner Crumbaugh** supported the motion. **Matonich** called for discussion, there being none, a vote was taken and the motion carried unanimously.

Michigan-Wisconsin Boundary Waters Regulations, Fisheries Order 205.16

Commissioner Schlaybaugh moved that Fisheries Order 205.16, Michigan-Wisconsin Boundary Waters Regulations be adopted. **Commissioner Klarr** supported the motion. **Matonich** called for discussion, there being none, a vote was taken and the motion carried unanimously.

Statewide Warmwater Regulations for Bass, Pike Catfish, Yellow Perch, Sunfishes and White Bass, Fisheries Order 215.15A

Commissioner Schlaybaugh moved that Fisheries Order 215.15A, Statewide Warmwater Regulations for Bass, Pike, Catfish, Yellow Perch, Sunfishes, and White Bass be adopted and offered an amendment to remove all references to catch and delayed release as contained within the order. **Commissioner Nichols** supported the motion for the amendment. **Matonich** called for discussion on the amendment only. **Commissioner Schlaybaugh** offered that the members of the Wildlife and Fisheries Committee recommend this amendment and shared these reasons for this recommendation:

- DNR biologists are split in terms of the potential adverse impact with CDR plan.
- Commission received and looked at a 22 year Illinois study which raises the specter that there would be a population and adverse genetic impact with CDR activity.
- In the year spent on this, much public input, received significant opposition from a social standpoint.
- Commission has adopted year around catch and immediate release (CIR) so there is unlimited opportunity for bass anglers to pursue bass throughout the year expanding significantly the opportunities for our bass angling community.
- The proposal to implement a CDR test when speaking with chief **Dexter**, fair to say, we would not have scientific study as the result of the five-year proposed test. It was primarily going to be a creel census in gathering tournament data, information received is that it would not significantly advance the knowledge that we currently have about this proposal, the utility of having a five-year test made little sense to the committee.
- They have asked the Fisheries division to explore the growing use of modern technology for the implementation of tournaments, which has been widely used in walleye and muskey tournaments. Wants to make certain there is other technology available if somebody wanted to implement tournaments in the CIR non-harvest seasons.
- **Dexter** advised that this proposal does not provide any additional fishing opportunity, only provides opportunity for tournaments. With adoption of CIR, we are providing a maximum opportunity to the largest number of bass anglers to enjoy the world class fishery that we currently have.

Matonich called for any further discussion on the amendment only, **Crumbaugh** made a comment indicating that she intended on supporting the removal of CDR from the order. She

felt that it's very important to maximize the resource is a sustainable way. She noted that there has been evidence that the risk may be too great but we won't know the results for twenty years. She agrees that it is better to err on the side of the resource. **Matonich** called for a vote on the amendment only to remove the reference of CDR in the order. A vote was taken and the amendment carried unanimously. Motion is amended. **Matonich** called for discussion on the amended motion, there being none, a vote was taken and the motion carried unanimously.

Regulations on the Take of Freshwater Mollusks, Fisheries Order 228.15

Commissioner Schlaybaugh moved that Fisheries Order 228.15, Regulations on the Take of Freshwater Mollusks, be adopted. **Commissioner Nichols** supported the motion. **Matonich** called for discussion, there being none, a vote was taken and the motion carried unanimously.

DIRECTOR – FOR INFORMATION ONLY AND ACTION ITEMS

Chairman Matonich listed the “for information only” items listed on the agenda.

Natural Resources Deputy Moritz then listed the “director's action” items listed on the agenda and indicated that he would approve all of the posted land transactions on behalf of the director, with the exception of the State Forest Land Exchange in Presque Isle County, the Hantz Exchange, Case 20140077, which has been withdrawn by the applicant. He noted that last week the department received formal notice of opposition to this exchange from both Presque Isle County and Allis Township. Being sensitive to these concerns, the applicant would like to work with local units and the department regarding alternatives to address their concerns and potentially modify the exchange proposal.

COMMISSIONER REPORTS

Commissioner Pontz thanked the Wildlife division for the tour of Barry and Allegan state game areas. She was impressed by partnerships with local farmers especially with waterfowl hunting areas. She added that a similar tour for the Blue Ribbon Panel would be very beneficial.

Commissioner Schlaybaugh met with **Dexter** and the coldwater fisheries organizations to hear their comments regarding the fisheries over the next couple of years.

Commissioner Crumbaugh thanked Cedarville and Clark Township for their hospitality. She had a couple of good one-on-ones with constituents this month and she encourages this, noting that it is very beneficial.

Commissioner Richardson thanked all for coming to the meeting.

Commissioner Klarr thanked Clark Township for the packet received by commissioners. She recently attended a Blue Ribbon Panel meeting that was very insightful.

Commissioner Nichols has taken the opportunity to go to CWD check stations and listened to communications between staff and successful deer hunters. He encouraged hunters for cooperation and help. **Nichols** added that it was great coming to the UP and thanked the township for the tour and appreciated the opportunity.

Deputy Director Moritz tells the audience to take the time and get outdoors this weekend.

Chairman Matonich thanked the township and village for their hospitality adding that it was great to come to this side of the UP. Tuesday he visited one of state's hidden treasures, the Roscommon Equipment Center for their fall workshop. They develop fire equipment for many states. All equipment is designed and built there. He added that staff there is phenomenal.

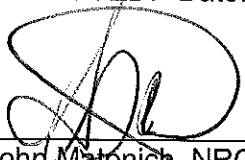
Next Meeting

Chairman Matonich announced that the next meeting of the NRC is scheduled for Thursday, November 5, 2015 at the MSU Diagnostic Center, 4125 Beaumont Road, Lansing, MI 48910. Committees meeting in November will be the NRC Policy Committee on Wildlife and Fisheries and the NRC Marketing, Partnership, Youth and Outreach Advisory Committee.

Adjournment

Commissioner Schlaybaugh made a motion to adjourn. **Commissioner Crumbaugh** seconded and the meeting was adjourned at 6:19 p.m.

APPROVED: Date: 11/8/15



John Matonich, NRC Chairman



Keith Creagh, DNR Director